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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,517	10/31/2000	Timothy A. McDonough	03797.00007	7863
28319	7590	09/08/2004	EXAMINER	
BANNER & WITCOFF LTD., ATTORNEYS FOR MICROSOFT 1001 G STREET, N.W. ELEVENTH STREET WASHINGTON, DC 20001-4597			ABDULSELAM, ABBAS I	
			ART UNIT	PAPER NUMBER
			2674	18

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/699,517

Applicant(s)

MCDONOUGH ET AL.

Examiner

Abbas I Abdulsalam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see # 17, filed on 06/16/04, with respect to the rejection(s) of claim(s) 1-34 under U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Kreisel et al. (USPN 6088516).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-34 rejected under 35 U.S.C. 103(a) as being unpatentable over Adan et al. (USPN 6373047) in view of Kreisel et al. (USPN 6088516).

Regarding claims 1, 6, and 28, Adan teaches an input device system (such as keyboard (40)) including a processing unit (21), a hard disk drive (27), a magnetic disk drive (28) and optical disk drive along with associated computer readable media storing computer readable instructions. However, Adan does not teach the use of input device in connection to step of determining in a computer whether a predetermined event has occurred. Adan also does not teach an illumination member of an input device that changes states.

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Kreisel on the other hand teaches communications package (3) as shown in Fig. Configured 1b that would inform a user when new mail messages are received by flashing one of the LEDs (17, 21) upon the keyboard (15). Kreisel discloses that the flashing LED is turned on when new messages are received. See the abstract and Fig. 1b.

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify Adan's input device system to adapt Kreisel's communications package (3) as illustrated in Fig. 1b. One would have been motivated in view of the suggestion in kreisel that the communications package as configured in Fig. 1b satisfies the desired "predetermined event" through receiving a new mail message. The use of communications package (3) helps keyboard (15) system identify messages as taught by Kreisel.

Regarding claim 2, Adan teaches the use of an input device for the purpose of providing specialized messages to the computer. See Fig 11.

Regarding claims 3-4, 21-22 and 30-31, kreisel teaches a Scroll Lock LED may be controlled to flash at a given rate regardless of the number of new messages (col. 9, lines 18-31)

Regarding claims 5, 23 and 32, Kreisel discloses that the scroll locking LED may be controlled to flash in multiple colors (col. 13, lines 41-44).

Regarding claims 7 and 27, Adan teaches a "mouse message hook" that executes and returns a value to the operating system (35). See col. 7, lines 15-20.

Regarding claims 8-15, 25-26 and 29, Adan's Fig 10B (192, 196).

Regarding claims 16-18, Adan teaches a control component (124) with respect to a predetermined time out period and the velocity of the mouse over the surface (116). See col. 9, lines 28-44.

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Regarding claims 19-20, Adan teaches the use of the input device with respect to game applications utilize the functionalities of the device. See Fig 3.

Regarding claim 24, Adan teaches the input device system for providing position information based on the movement of the input device. See col. 1, lines 24-28.

Regarding claims 33-34, see Adan's Fig 2A (42).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following arts are cited for further reference.

U.S. Pat. No. 6,249,805 to Fleming

4. Any inquiry concerning this communication or earlier communication from the examiner should be directed to **Abbas Abduselam** whose telephone number is **(703) 305-8591**. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe**, can be reached at **(703) 305-4709**.

Any response to this action should be mailed to:

Commissioner of patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314

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Hand delivered responses should be brought to Crystal Park II, Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology center 2600 customer Service office whose telephone number is (703) 306-0377.

Abbas Abdulsalam

Examiner

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August 30, 2004


XIAO WU
PRIMARY EXAMINER